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REPORT

OF THE

ATTORNEY GENERAL.

DEPARTMENT OF JUSTICE,
Richmond, April 25, 1864.

To the President :

SIR: There are several matters which concern this Department, to which I beg leave to call your attention.

The delay in the publication of the acts of Congress, in pamphlet form, is felt to be an evil. The fourth section of act No. 208, approved 5th August, 1861, requires the printing, in such case, to be executed by the Public Printer. I have been informed that his office, under the exigencies of the times, is inadequate to the simultaneous execution of the different classes of work required of him. But, whatever may be the cause, the delay is undeniable, and the law should, therefore, be so amended as to allow a contract to be made with another office to publish the acts in that form, in the same manner, and upon the same terms, as now required and allowed. In this connection, it may be stated, that the printing of the provisional and permanent Constitutions, and of the acts and resolutions and treaties of the provisional Government, authorized by the act of the 17th February, 1862, has not been completed. The same causes which delay the publication, in pamphlet form, of the acts of each session, have delayed the publication in this case. The printing, however, is now, after a lapse of about two years, nearly finished, and it is hoped, that in a few weeks, the work will be ready for delivery. The act provides only for binding the volumes in calf, which it authorizes to be postponed until after the war. It makes no express provision for the distribution of the volumes when bound, and it would be well to have a few copies bound in a cheap and substantial form for distribution amongst the officers of the Government. The limited distribution of the acts of each session, in pamphlet form, is also felt to be an evil. One copy should be sent to the county court of each county, for the use of the people; copies should be sent to the supreme court and Attorney General of each State; a larger number should be

allowed to the War and Navy Departments; a copy should be sent to each district court commissioner, and additional copies should be allowed to the marshals for distribution amongst their deputies.

Act No. 372, approved 29th January, 1862, requires a district judge, when requested in certain cases, to interchange with the judge of an adjoining district. When such cases arise entirely upon the record, the whole object of the act would be attained by authorizing either party to submit a certified copy of the record to a judge of an adjoining district, upon giving reasonable notice of the motion, and of the time and place, and furnishing sufficient evidence that the case cannot properly be heard in the district in which it is pending.

The act makes no provision for the payment of the travelling expenses of the judges, when they interchange, and it has been suggested, that it is doubtful, at least, whether the act of the Congress of the United States of the 29th July, 1850, which makes such provision, is in force. Perhaps it would be better, therefore, to amend the law in this respect.

The act of the 21st February, 1861, organizing this Department, makes it the duty of the Attorney General, "to give his advice and opinion, upon questions of law, when required by the President of the Confederate States, or when requested by any of the heads of department, touching any matters that may concern their departments, on subjects before them." Great embarrassment is felt, at times, for the want of books necessary in the examination of questions thus submitted. A few books presented to the Department by the several States, and a few books turned over to it by the committee appointed to make a statutory digest, together with a copy of the United States Statutes at Large, constitute the library. An appropriation for the purchase of books was asked by one of my predecessors, but none has ever been made. There are good libraries in the States, which belonged to lawyers, who have lost their lives in the military service of the Government, several, or either of which, I doubt not, could be bought on reasonable terms. I recommend, therefore, that an appropriation of ten thousand dollars be made for the purchase of books for the Department.

I beg leave to call attention to the accompanying report of the Superintendent of Public Printing.

GEORGE DAVIS,
Attorney General.

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